

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA GAME COMMISSION,	:	CIVIL ACTION NO. 1:12-CV-1567
	:	
	:	(Chief Judge Conner)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
THOMAS E. PROCTOR HEIRS TRUST and MARGARET PROCTOR TRUST,	:	
	:	
	:	
Defendants	:	

ORDER

AND NOW, this 21st day of April, 2020, upon consideration of the cross-motions (Docs. 94, 123) for partial summary judgment filed by defendants Thomas E. Proctor Heirs Trust and Margaret O.F. Proctor Trust (collectively, “Proctor Trusts”) and plaintiff Commonwealth of Pennsylvania, Pennsylvania Game Commission (“Game Commission”), and Chief Magistrate Judge Susan E. Schwab’s report (Doc. 155) and recommendations, and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. Judge Schwab’s report (Doc. 155) is ADOPTED only to the extent set forth in the accompanying memorandum.
2. The Game Commission’s motion (Doc. 123) for partial summary judgment is DENIED.
3. The Proctor Trusts’ motion (Doc. 94) for partial summary judgment is DENIED.

4. The Proctor Trusts' motion (Doc. 136) to strike declaration of J.C. Wilkinson, III, is GRANTED in part and DENIED in part as more fully set forth in Judge Schwab's report (Doc. 155) and our accompanying memorandum.
5. A telephonic status conference call is scheduled for **Thursday, May 7, 2020, at 10:00 a.m.** Counsel for plaintiff shall initiate the call to Chambers at (717) 221-3945. At the time the call is placed, all parties shall be on the line and prepared to discuss the status of the case and a tentative schedule for pretrial and trial proceedings in light of the accompanying memorandum and this order.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania